

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ENGELN, et al. Examiner: Packard, B.J.
Serial No.: 10/542,120 Group Art Unit: 4173
Filed: February 27, 2006 Confirmation No.: 8717
For: Compositions and Methods for improving the Condition of Patients
Suffering from COPD and other diseases

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March 31, 2008

Commissioner for Patents
P.O. Box 1450
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REPLY TO RESTRICTION REQUIREMENT

Sir:

This reply is to the Restriction Requirement mailed on November 30, 2007, in connection with the above-identified application. The time set for filing a response to the restriction requirement expired on December 30, 2007. Applicants hereby request a three-month extension of time under 37 CFR 1.136(a) and authorizes the Patent Office to charge the Deposit Account No. identified below. Accordingly, the period set to reply to the Office Action expired on March 30, 2008, which is a Sunday, and thus this reply is timely filed on Monday March 31, 2008.

Applicants provisionally elect, with traverse, the subject matter in Group II. Claim 10 drawn to a method of using the composition. The elected species is a composition comprising glutamate and the disease elected to be treated is COPD.

Applicants respectfully reserve the right to pursue the claims not elected (group/species) in one or more divisional applications.